

EXHIBIT B

Wed Dec 02 2020 14:42:41

Page 1

CHRONOLOGICAL CASE SUMMARY
CIVIL, JEFFERSON CIRCUIT COURT

FOR CAUSE NO: 39C01-2011-CT-00847
ELIZABETH JINES V. JACKIE MELTON
HONORABLE DONALD J MOTE

ACTION:

DATE FILED: 11/20/2020

ORIG FILE DT: 11/20/2020

FUTURE CALENDAR DATES:

ENTRY/FEE BOOK: PAGE:
JUDGMENT BOOK: 0 PAGE:

ATTORNEYSPARTIES

32552-49 KAITLIN T COONS
ISAACS & ISAACS, PSC
1601 BUSINESS CENTER COURT
LOUISVILLE KY 40299
PH: 502-458-1000
FAX: 502-454-5512
KAITLIN@ISAACSandISAACS.COM

PLAINTIFF
ELIZABETH JINES

DEFENDANT
JACKIE MELTON

D & G, INC

FINANCIAL INFO

PAYOR: ELIZABETH JINES	Total:	\$157.00
STATE COURT COSTS	\$70.00	
COUNTY COURT COSTS	\$30.00	
CLERK RECORD PERP FUND	\$5.00	
AUTO/RECORD KEEP-ST	\$20.00	
JUDICIAL INS ADJUST FEE	\$1.00	
JUDICIAL SALARY FEE	\$20.00	
PUBLIC DEFENSE ADMIN FEE	\$5.00	
COURT ADMIN FEE	\$5.00	
CIVIL SERVICE FEE	\$0.00	
\$27 SHERIFF SERV PROCESS	\$0.00	
PRO BONO LEGAL SERVICES	\$1.00	
CIVIL GARNISH SERVICE FEE	\$0.00	
\$1-SHERIFF SERVICE CLERK	\$0.00	

CHRONOLOGICAL SUMMARY OF FILINGS AND PROCEEDINGS

MIN Date: 11/20/2020 Notice: N
Input: 11/20/2020

RJO: N

SUMMONS

to be served to D & G Inc. by certified mail

Wed Dec 02 2020 14:42:41

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FOR CAUSE NO: 39C01-2011-CT-00847
ELIZABETH JINES V. JACKIE MELTON
HONORABLE DONALD J MOTE

ACTION:

DATE FILED: 11/20/2020
ORIG FILE DT: 11/20/2020

filed by Kaitlin Coons Astorino
slm

MIN Date: 11/20/2020 Notice: N EFFA
Input: 11/20/2020

RJO: N

Total eFiled amount of \$157.00 assessed.

MIN Date: 11/20/2020 Notice: M
Input: 11/20/2020

RJO: N

Appearance filed by Kaitlin Coons Astorino on behalf of Elizabeth Jines.

MIN Date: 11/20/2020 Notice: N
Input: 11/20/2020

RJO: N

SUMMONS
to be served to Jackie Melton by certified mail
filed by Kaitlin Coons Astorino
slm

MIN Date: 11/20/2020 Notice: N
Input: 11/20/2020

RJO: N

COMPLAINT AND DEMAND FOR JURY TRIAL
filed by Kaitlin Coons Astorino
SLM

IN THE _____ COURT FOR JEFFERSON COUNTY
STATE OF INDIANA

ELIZABETH JINES

Plaintiff,

V.

D & G, INC.

AND

JACKIE W. MELTON
Defendants.

[illegible]

CAUSE NO: **39C01-2011-CT-00847**

SUMMONS

[illegible]

You have been sued by the person(s) named "Plaintiff", in the Court stated above.

The nature of the suit against you is stated in the Complaint which is attached to this summons. It also states the demand which the Plaintiff has made against you.

You must answer the Complaint in writing to be filed with the Court, by you or your attorney, within twenty (20) days, commencing the day after you receive this summons, (you have twenty-three (23) days to answer if this summons was received by mail), or judgment will be entered against you for what the Plaintiff has demanded.

If you deny the demand and/or have a claim for relief against the Plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.

It is suggested that you consult with an attorney of your choice regarding this matter.

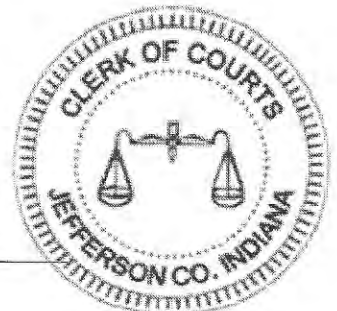
The following manner of service of summons is hereby designated: **Certified Mail, Return Receipt Requested.**

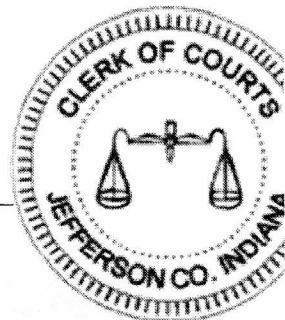
Dated: 11/20/2020, 20

KAITLIN COONS ASTORINO, 32552-49
1601 Business Center Court
Louisville, Kentucky 40229
Telephone: (502) 458-1000

Sabatha Eden

Clerk





IN THE _____ COURT FOR JEFFERSON COUNTY
STATE OF INDIANA

ELIZABETH A JINES
Plaintiff,)
)
v.)
)
JACKIE W. MELTON)
-and-) CAUSE NO: _____
D & G, INC.) *ELECTRONICALLY FILED*
Defendants.)

APPEARANCE BY ATTORNEY IN CIVIL CASE

**** **

Party Classification: INITIATING

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s): **ELIZABETH JINES**
2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:

Name:	Kaitlin Coons Astorino ISAACS & ISAACS, PSC	ATTY NO. 32552-49
Address:	1601 Business Center Court Louisville, Kentucky 40299	PHONE: (502) 458-1000 FAX: (502) 454-5512
3. There are other party members: NO
4. If first initiating party filing this case, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3): CT
5. I will accept FAX service at above noted number: NO
6. This case involves support issues. NO
7. There are related cases: NO

8. This form has been served on all other parties. Certificate of service is attached:

YES X

9. Additional information required by local rule: _____

/s/Kaitlin Coons Astorino
Kaitlin Coons Astorino
Indiana Bar No. 32552-49
Isaacs & Isaacs, PSC
1601 Business Center Court
Louisville, Kentucky 40229
Phone: (502) 458-1000

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing APPEARANCE was this 20th day of November, 2020, delivered to the Initiating, Intervening and other Responding Parties and/or their attorneys of record either in person, or by U.S. Mail-postage prepaid, or by Courthouse Mailbox.

/s/Kaitlin Coons Astorino
Kaitlin Coons Astorino, IN Bar No. 32552-

Jefferson Circuit Court

IN THE _____ COURT FOR JEFFERSON COUNTY
STATE OF INDIANA

ELIZABETH JINES

Plaintiff,

v.

D & G, INC.

-and-

JACKIE W. MELTON

Defendants.

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39C01-2011-CT-00847

CAUSE NO: _____

ELECTRONICALLY FILED

COMPLAINT AND DEMAND FOR JURY TRIAL

Comes the Plaintiff, Elizabeth Jines, by and through counsel, and for her Complaint and causes of action against the Defendants, Jackie Melton and D & G, Inc., herein state as follows:

1. Plaintiff Elizabeth Jines (hereinafter "Plaintiff") is, and was at all times relevant herein, a resident of Madison, Indiana.

2. Upon information and belief, Defendant Jackie Melton (hereinafter "Melton") is, and was at all times relevant herein, a resident of Henderson, Kentucky, with a mailing address of 938 Kingsway Court B, Henderson, KY 42420.

3. Upon information and belief, D & G, Inc. (hereinafter "D & G") is a domestic corporation lawfully conducting business in the state of Indiana with a home office address of 741 US Highway 41 S, Henderson, KY 42420. Its registered agent for service of process is Pamela Warner 306 E. Columbia St, Attica, IN 47918.

4. The incident giving rise to this action occurred in Jefferson County, Indiana, and the damages are in excess of the jurisdictional limits of this Court.

5. That on or about the 15th day of November, 2020, Plaintiff was operating a vehicle owned by Richard Jines, a nonparty to this action, with all due care on a public highway, being W

SR 56, in Jefferson County, Indiana.

6. That on the aforementioned date, at the approximate same time and at the place set forth above, Defendant Jackie Melton was also operating a 2016 Kenworth T600 tractor-trailer westbound on SR 56.

7. That Defendant Melton operated the vehicle he was driving in such a negligent manner on the date, time and location set forth above as to cause his vehicle to collide with the back of the vehicle operated by Plaintiff.

8. That said vehicle being operated by Defendant Jackie Melton was owned by Defendant D & G, bearing USDOT #39771.

9. That at all times relevant herein said D & G vehicle was engaged in intrastate commerce and its gross weight exceeded 26,001 pounds.

CLAIMS AGAINST JACKIE MELTON
COUNT I: NEGLIGENCE

10. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

11. That at all times relevant herein, Defendant Melton owed a duty to Plaintiff to maintain a proper lookout and to operate his vehicle in a reasonably safe manner.

12. That Defendant Melton breached his duty owed to Plaintiff.

13. That Defendant Melton failed to maintain a proper lookout or operate his vehicle in a reasonably safe manner, thereby causing his vehicle to collide with the vehicle of the Plaintiff.

14. As a direct and proximate result of the foregoing negligence and carelessness of Defendant Melton, Plaintiff sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; has suffered and will continue to suffer pain, suffering, mental anguish and inconvenience; has incurred lost wages and will continue to lose

wages; and has incurred a permanent impairment of her power to labor and earn money.

15. That as a direct and proximate result of the negligence of Defendant Melton in operating the motor vehicle, Plaintiff has been caused to suffer damages in excess of the jurisdictional limits of this Court.

CLAIMS AGAINST D & G, INC.
COUNT II: RESPONDEAT SUPERIOR

16. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

17. Upon information and belief, on the date set forth above, Defendant Melton was employed by Defendant D & G, and was operating the vehicle within the course and scope of his employment with said Defendant.

18. That at all times relevant herein Defendant Melton was acting within the course and scope of his employment with Defendant D & G.

19. As a direct and proximate result of the negligence of Defendant Jackie Melton in operating the vehicle in the course and scope of his employment, the doctrine of *Respondeat Superior* applies and transfers liability to Defendant D & G.

COUNT III: NEGLIGENT HIRING AND RETENTION

20. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

21. That Defendant D & G knew, or should have known, through the use of ordinary care when it hired Defendant Melton that Defendant Melton was a negligent and/or careless driver.

22. That Defendant D & G, upon the use of ordinary care in determining that Defendant Melton was a negligent and/or careless driver, was negligent in retaining Defendant Melton as an employee and allowing said employee to continue to use its motor vehicle in such a negligent

manner so as to cause it collide with the vehicle operated by the Plaintiff, thereby causing Plaintiff to suffer bodily injuries.

23. That as a direct and proximate result of the negligence of Defendant D & G in hiring and/or retaining Defendant Melton, Plaintiff was caused to suffer serious bodily injury and because of the bodily injuries sustained by Plaintiff, Plaintiff has sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; has suffered and will continue to suffer pain, suffering, mental anguish and inconvenience; has incurred lost wages and will continue to lose wages; and has incurred a permanent impairment of her power to labor and earn money.

COUNT IV: NEGLIGENT SUPERVISION AND TRAINING

24. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

25. That Defendant D & G had a duty to ensure that its drivers are properly trained, licensed, and qualified to operate commercial vehicles.

26. That Defendant D & G failed to properly train and/or supervise Defendant Melton to safely operate the vehicle that he was driving on the aforementioned date.

27. That as a direct and proximate result of the negligence of Defendant D & G in failing to properly train and/or supervise Defendant Melton, Plaintiff was caused to suffer serious bodily injury and because of the bodily injuries sustained by Plaintiff, Plaintiff has sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; has suffered and will continue to suffer pain, suffering, mental anguish and inconvenience; has incurred lost wages and will continue to lose wages; and has incurred a permanent impairment of her power to labor and earn money.

WHEREFORE, Plaintiff, Elizabeth Jines, demands judgment against Defendants Jackie Melton and D & G, Inc. as follows:

1. Judgment against each defendant for compensatory damages in an amount in excess of the amount necessary to invoke the jurisdiction of this court and reasonably calculated to compensate Plaintiff Elizabeth Jines for her damages, to include:

- a. Past and future medical expenses;
- b. Past and future physical and mental pain, suffering, anguish and inconvenience;
- c. Lost wages;
- d. Diminished capacity to labor and earn income; and

2. Prejudgment interest;

3. Interest on any amount to which Plaintiff may be adjudicated to be entitled to accrue from the date of the filing of this action until paid;

4. Costs herein expended;

5. Trial by jury; and

6. Any and all other appropriate relief to which Plaintiff may appear to be justly entitled.

Respectfully submitted,

/s/Kaitlin Coons Astorino
Kaitlin Coons Astorino, 32552-49
ISAACS & ISAACS, P.S.C.
1601 Business Center Court
Louisville, KY 40299
T: (502) 458-1000
F: (502) 454-5512
Email: kaitlin@isaacsandisaacs.com
Counsel for Plaintiff, Elizabeth Jines

DEMAND FOR JURY TRIAL

Comes now the Plaintiff, Elizabeth Jines, and demands a trial by jury on all issues so triable.

/s/Kaitlin Coons Astorino
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Counsel for Plaintiff Elizabeth Jines